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6 Attorneys for Plaintiff
7 DARWIN BOGGS

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

10 DARWIN BOGGS,
11 Plaintiff,
12 vs.
13 HIGHLAND PLAZA CENTER LLC; and
14 DOES 1 to 10,
15 Defendants.

Case No.: 5:24-cv-00719-AB (SHKx)
**Plaintiff's Notice of Motion and Motion
for Default Judgment by Court**
Date: August 9, 2024
Time: 10:00 a.m.
Courtroom: 7B
Honorable Judge Andre Birotte Jr.

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20 To Defendant HIGHLAND PLAZA CENTER LLC and the attorneys of record, if
any: Please take notice that on August 9, 2024, at 10:00 a.m., or as soon thereafter as this
21 matter may be heard by this Court located at 350 W. First Street, Los Angeles, California,
22 Plaintiff DARWIN BOGGS will present Plaintiff's motion for default judgment against
23 Defendant HIGHLAND PLAZA CENTER LLC. The Clerk has previously entered the
24 default on said Defendant on June 4, 2024 (Dkt. #14).

25 At the time and place of hearing, Plaintiff will present proof of the following
26 matters: (1) Defendant HIGHLAND PLAZA CENTER LLC is not a minor or an
27 incompetent person or in military service or otherwise exempted under the Soldier and
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1 Sailor's Civil Relief Act of 1940; (2) Defendant HIGHLAND PLAZA CENTER LLC
2 has not appeared in this action; and (3) Plaintiff is entitled to judgment against said
3 Defendant on account of the claims pleaded in the complaint, to wit: a violation of the
4 Americans with Disabilities Act, the Unruh Civil Rights Act, the California Disabled
5 Persons Act, the California's Unfair Competition Act, and Negligence.

6 The Plaintiff seeks a judgment in the amount of \$4,000.00 in statutory damages,
7 \$2,285.00 in attorney's fees, and \$590.00 in costs as set forth in the attached Declaration
8 of Jason J. Kim and an Order directing the Defendant to: make alterations in such a
9 manner that, to the maximum extent feasible, the goods, services, facilities, privileges,
10 advantages, or accommodations offered by Defendant are readily accessible to and usable
11 by individuals with disabilities at the property located at or about 3545 E. Highland Ave.
12 B, Highland, California. This motion is based on this notice, the declarations submitted in
13 support of this motion, and other matters which may be presented at the hearing.

14 Notice of the original motion for default judgment by court was served on
15 Defendant HIGHLAND PLAZA CENTER LLC on July 3, 2024, by first class United
16 States Mail, postage prepaid.

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18 Dated: July 3, 2024

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21 By: /s/ Jason J. Kim
22 Jason J. Kim, Esq.
23 Attorneys for Plaintiff
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